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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,407	01/22/2001	Ronald Martin Tanner	56932.000007	7309

909 7590 10/11/2006

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ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 10/11/2006

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/766,407
Filing Date: January 22, 2001
Appellant(s): TANNER ET AL.

Anita Choudhary
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 7/10/2006 appealing from the Office action mailed 7/14/2005.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,052,720

TRAVERSAT et al.

4-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

Claims 1-11, 13-23, and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,052,720, which is attributed to Traversat et al. (hereafter referred to as "Traversat"). In general, Traversat discloses a method for configuring a plurality of client computers from a single, remote server computer (see column 2, lines 49-55). Such a method allows a system administrator to efficiently propagate application changes, upgrades, and new applications to the plurality of client computers (see column 6, lines 19-31). Regarding the claimed invention, Traversat discloses that this server obtains and stores configuration information for each client computer (see column 6, lines 9-15). This configuration information at least one "image" of the client computer, as it comprises information relating to the memory, storage, applications, and other features representing the overall configuration state of the client computer (for example, see column 8, line 60 – column 9, line 10). Traversat discloses that the server maintains a "server schema," which is a tree-like data structure used to store the

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configuration information for each client computer on a network (see column 8, lines 37-50, in addition to figure 3). This schema is considered a “directory,” like that of the present application, as it is used to organize and access the configuration information of the client computers. Traversat further discloses that the server schema includes a “platform” category (see column 8, lines 51-59), which particularly maintains the configuration information for each type of client computer on the network (see column 8, line 55 – column 9, line 10). Traversat thus teaches creating at least one image of the client computer (i.e. configuration information for the particular client computer type), and placing a representation of the at least one image into a directory (i.e. within the platform “category”). In addition, Traversat demonstrates a plurality of ways to customize these images in order to form a customized image, which is then placed on the client computer. For example, the configuration information for the particular client computer may be overridden or augmented by configuration information maintained by a “profile category,” a “users category,” and a “group category,” of the server schema, whereby these categories respectively store configuration information for particular uses of the client computer, particular users of the computer, and particular groups of users of the computer (see column 9, lines 11-67, in addition to column 10, line 29 – column 11, line 67). When a client computer establishes a connection with the server, the client computer sends to the server its profile information, which includes hardware information regarding the client computer, such as its computer type (for example, see column 4, lines 47-62; and column 10, lines 29-67). In response, and based on the client’s hardware information, the server computer arranges and sends configuration data to the client computer according to a set of rules, considered an “imaging server policy,” the set of rules comprising a way in which configuration information is

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selected to be sent to the client computer (see column 4, lines 20-47); particularly, the server computer identifies, within the above described platform category, configuration information corresponding to the specified type of client computer, and augments or overrides this information with information from the profile category, the users category, and the group category (see column 10, line 29 – column 11, line 67).

Thus in reference to claims 1 and 13, Traversat teaches: obtaining hardware information from the client computer, wherein the hardware information includes at least one of computer type, storage device size, and amount of random access memory (for example, see column 4, lines 47-62; and column 10, lines 49-67); applying an imaging server policy, wherein the imaging server policy comprises at least one rule that is applied to the client computer based on its hardware information (see e.g. column 4, lines 20-47); identifying, based on the at least one rule, at least one image that is to be placed on the client computer (see column 10, line 49 – column 11, line 67); placing a representation of the at least one image of the client computer into a directory, in particular, into the platform category of a server schema (see column 8, line 37 – column 9, line 10); creating at least one customized image, wherein the at least one customized image comprises the at least one image of the client computer and one or more additional images (see e.g. column 10, line 49 – column 11, line 23); and placing the customized image onto the client computer (see e.g. column 11, lines 11-23). Traversat is therefore teaches a method like that of claim 1, which is for placing at least one image on a device and associated one or more additional images to the image based on preselected criteria. A server implementing such a method is considered a system like that of claim 13.

In reference to claims 2-5 and 14-17, the platform category in the server schema of Traversat maintains the configuration information, i.e. the at least one image, for each type of client computer on the network, as is described in the previous paragraph. In this platform category, there are a number of entries, each referring to a particular type of client computer existing on the network (see column 8, line 60 – column 9, line 4). Associated with each entry are leaf nodes, which specify the application configurations of the applications stored on the associated computer type (see column 9, lines 2-10). Each entry thus represents a device, and is therefore considered a “device object” like recited in claims 2-4 and 14-16, and an “object” like recited in claims 5 and 17. Accordingly, Traversat teaches creating a device object to represent the client computer in the directory, and associating at least one image of the client computer with the device object, as is expressed in claims 2, 4, 5, 14, 16, and 17. Furthermore, and specifically regarding claims 3 and 15, the above-described imaging server policy of Traversat comprises an order by which the configuration data stored in a category of the server schema overrides the configuration data presented by the other server schema categories, as is described in the previous paragraph. Thus this set of rules is associated with the platform category of the server schema, and also, each device object maintained by in the platform category.

As per claims 6 and 18, the at least one image of the client computer, as maintained by its entry in the above-described platform category, is associated with additional objects in the server schema. For example, Traversat discloses that the configuration information within the platform category may be augmented or overridden by configuration information within the profile category, which associated with the specific client computer by means of a unique ID (see column 10, line 57 – column 11, line 23). The configuration information associated with the

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client computer, as maintained by the profile category of the server schema, is considered a “base image” of the client computer, like recited in claims 6 and 18, as it comprises configuration information of only the particular client computer. As described above, the configuration information maintained in the platform and profile categories of the server schema are associated with additional configuration information, for example, from the users and user groups categories within the server schema (see column 11, lines 12-67). Thus with respect to claims 6 and 18, Traversat teaches: creating a base image of the client computer (i.e. the client computer’s configuration information stored within the profile category), associating the at least one image of the client computer (i.e. configuration information stored within the platform category), and one or more additional images (i.e. the configuration information within the users and groups categories) to the base image, and creating and updating a customized image, by combining the based image, the image of the device, and the one or more additional images (see e.g. column 10, lines 49 – column 11, line 67).

In regard to claims 7 and 19, customizing the image of each client computer comprises overriding or adding to the configuration information of the platform category with configuration information maintained by the profile category, users category, and group category of the server schema, as is described above. This configuration information maintained in each server schema category is understood to be maintained in a file set, as the categories enable the server to distinguish one unit of configuration information from another. Therefore, customizing the image comprises the step of defining one or more file sets wherein the file sets are inserted into the image.

With respect to claims 8 and 20, Traversat discloses the images (i.e. configuration information) maintained by the above-described profile category, users category, and group category of the server schema each comprise application configuration information regarding particular users or groups of users for the client computer (see column 9, lines 27-67). That is, the profile category, users category, and group category each comprise application images (i.e. application configuration information) associated with one or more user characteristics. As is described above, customizing the image of each client computer comprises overriding or adding to the configuration information of the platform category by configuration information maintained by this profile category, users category, and group category of the server schema. Consequently, customizing the image comprises the step of inserting one or more application images associated with one or more user characteristics into the image.

Referring to claims 9 and 21, Traversat discloses that the client computer, i.e. the device, can be a workstation (see e.g. column 10, lines 57-67).

Concerning claims 10-11 and 22-23, Traversat teaches creating a device object, which is maintained as an entry in the platform category of the server schema, as is described above in the rejection for claims 2-6. Configuration data, i.e. an image, for a particular type of client computer is associated with each entry (for example, see column 8, line 60 – column 9, line 10). Accordingly, each client computer image is associated with a device object according to an established policy in the directory: the image must correspond with, and be applicable to, the particular device object. Traversat discloses that this configuration information associated with a particular computer type within the platform category comprises all possible configurations applicable to the computer (for example, see column 8, line 60 – column 9, line 10). Such

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configurations are each is considered an “image object,” like recited in claims 11 and 23.

Accordingly, Traversat teaches creating an image object and directly associating the image object with a device object, wherein at least one specified image is applied to the device regardless of rules specified in an imaging server policy.

With respect to claims 25 and 26, Traversat discloses that a client computer provides its hardware information, particularly its device type, during a boot process, whereby a server places a customized image on a device during the boot process (see column 7, lines 11-30; and column 10, line 29 – column 11, line 23).

Concerning claim 27, Traversat discloses that a server maintains a “server schema,” which is a tree-like data structure used to store the configuration information for each client computer on a network, as is described above. This schema is considered a “directory,” like that of the present application, as it is used to organize and access the configuration information of the client computers. Traversat discloses that the server schema includes a “platform” category (see column 8, lines 51-59), which particularly maintains the configuration information for each type of client computer on the network (see column 8, line 55 – column 9, line 10). As described above, such configuration information is considered to comprise at least one image of the client computer. Traversat thus teaches creating at least one image of the client computer, and placing a representation of the image into a directory. In addition, Traversat demonstrates a plurality of ways to customize these images in order to form a customized image, which is then placed on the client computer. For example, the configuration information for the particular client computer may be overridden or augmented by configuration information maintained by a “profile category,” a “users category,” and a “group category,” of the server schema, whereby these

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categories respectively store configuration information for particular uses of the client computer, particular users of the computer, and particular groups of users of the computer (see column 9, lines 11-67, in addition to column 10, line 29 – column 11, line 67). This configuration information maintained in each server schema category is understood to be maintained in a file set, as the categories enable the server to distinguish one unit of configuration information from another. Therefore, customizing the image comprises the step of defining one or more file sets wherein the file sets are inserted into the image. When a client computer establishes a connection with the server, the client computer sends to the server its profile information, which includes hardware information regarding the client computer, such as its computer type (for example, see column 4, lines 47-62; and column 10, lines 29-67). In response, and based on the client's hardware information, the server computer arranges and sends configuration data to the client computer according to a set of rules, considered an "imaging server policy," the set of rules comprising a way in which configuration information is selected to be sent to the client computer (see column 4, lines 20-47); particularly, the server computer identifies, within the above described platform category, configuration information corresponding to the specified type of client computer, and augments or overrides this information with information from the profile category, the users category, and the group category (see column 10, line 29 – column 11, line 67). Thus in summary, Traversat teaches: obtaining hardware information from the client computer, wherein the hardware information includes at least one of computer type, storage device size, and amount of random access memory (for example, see column 4, lines 47-62; and column 10, lines 49-67); defining one or more file sets (e.g. configuration information associated with the leaf nodes within the profile category, users category, and group category) to include

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selected files (i.e. configuration information for particular uses, users, and groups of users: see e.g. column 8, line 36 – column 9, line 67); applying an imaging server policy, wherein the imaging server policy comprises at least one rule that is applied to the client computer based on its hardware information (see e.g. column 4, lines 20-47); identifying, based on the at least one rule, at least one image (i.e. configuration information within the platform category) that is to be placed on the client computer (see column 10, line 49 – column 11, line 67); identifying, based on at least one rule, one or more file sets to be inserted into the image (see e.g. column 10, line 49 – column 11, line 23); placing a representation of the at least one image of the client computer into a directory, in particular, into the platform category of a server schema (see column 8, line 37 – column 9, line 10); and the at least one image onto the client computer (see e.g. column 11, lines 11-67). Traversat therefore teaches a method like that of claim 27, which is for dynamically customizing at least one image that is placed on a device.

(10) Response to Argument

A. Claims 1-11, 13-23, and 25-27 are anticipated by Traversat

1. Independent claims 1 and 13

Regarding claims 1 and 13, the Appellant argues that Traversat fails to disclose, “creating at least one customized image, wherein the at least one customized image comprises the at least one image of the device and the one or more additional images; and placing the at least one customized image on the device,” as is claimed. In defense of this argument, the Appellant appears to argue that Traversat fails to disclose an image; the Appellant disputes the Examiner’s

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assertion that the configuration information of Traversat is the same as the claimed "image," and submits that the Examiner has failed to provide support for such an assertion:

In the Final Action the Examiner alleges that configuration information is the same as the claimed "image." ...The Examiner fails to provide support to establish that configuration is the same as the claimed image. (See page 11 of the brief).

The Examiner, however, respectfully disagrees with this argument. As clearly communicated in the final Office Action of 7/14/2005, the Examiner submits that the configuration information of Traversat is an image because, "it comprises information relating to the memory, storage, applications, and other features representing the overall configuration state of the client computer:"

In general, Traversat discloses a method for configuring a plurality of client computers from a single, remote server computer (see column 2, lines 49-55). Such a method allows a system administrator to efficiently propagate application changes, upgrades, and new applications to the plurality of client computers (see column 6, lines 19-31). Regarding the claimed invention, Traversat discloses that this server obtains and stores configuration information for each client computer (see column 6, lines 9-15). This configuration information is considered an "image" of the client computer, as it comprises information relating to the memory, storage, applications, and other features representing the overall configuration state of the client computer (for example, see column 8, line 60 – column 9, line 10). (See page 3 of the final Office Action, mailed 7/14/2005).

The Specification of the present application provides support for such an interpretation of "image," i.e. that an image refers to information representing a computer configuration:

Network tools have included the ability to "image" a workstation or other device, that is, detecting and recording information related to memory, storage, processor, applications, directory access privileges and other features and resources representing the overall configuration state of a network device. (See page 1, lines 14-17 of the Specification).

Accordingly, the Examiner maintains that the configuration information of Traversat comprises an image of a client computer, because it comprises information relating to the memory, storage, applications, and other features representing the overall configuration state of the computer.

Further regarding claims 1 and 13, the Appellant argues that Traversat fails to disclose a customized image comprising “at least one image of the device and the one or more additional images,” because the at least one image of the device (i.e. configuration information within the platform category) is overridden by other information (e.g. configuration information within the profile, users, and/or group categories) in order to generate the customized image:

According to Traversat, configuration information for a device type (e.g., platform data) is overridden by other configuration information from a higher ranking category (e.g., profile, user, group) in order to create a final data set to be sent to the client. As such the configuration information for the device is not included in the final data set because it is overridden by other data. (See page 12 of the brief).

The Examiner respectfully disagrees with this argument. It is true that Traversat discloses combining configuration information from within a platform category (i.e. the “at least one image of the device”) with configuration information from within other server schema categories (i.e. the “one or more additional images”), whereby values in the platform category that have matching values in other categories are overridden by the values of the other categories:

FIG. 8a is a flowchart showing in greater detail steps 617 and 627 of FIG. 6. It shows a process of coalescing configuration data related to a particular client on the server in the described embodiment. The data is coalesced according to a hierarchy shown in FIG. 8b in that certain data items in a data entry may be overridden by corresponding data items from other namespaces or categories. At step 801 the server retrieves a platform entry from the platform sub-tree in the machine namespace on the server. The platform entry contains specific information on the

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client computer type. At step 803 the server determines whether the client has a corresponding profile entry by checking whether there is a reference pointer from the client machine-unique ID to a particular profile in the profile category. If the client has a profile entry, the server retrieves the profile entry at step 805. At step 805 the values in the profile entry and the platform entry are coalesced. Values for properties that are contained in both entries are coalesced on a property-by-property basis according to a hierarchy shown in FIG. 8b. In the described embodiment, values in the profile entry that have a matching property value in the platform entry are overridden by the profile entry values. The coalescing of entries is done on a property-by-property basis. If the client does not have a profile entry as determined at step 803, control goes to step 807.

(27) At step 807 the server retrieves a user entry from the users namespace in the server schema. At step 809 the server determines whether the user who logged on belongs to any of the groups 319. At step 811 the server retrieves a group entry but overrides, again on a property-by-property basis, values in the group entry with values in the users entry. At step 813 the server overrides values in the profile/platform entry from step 805 with values in the coalesced user entry. If the server determines that the user does not belong to a group in 809, it proceeds with step 813. At step 815 the coalesced data entry relating to the user logging onto the client is sent to the client computer and the process is complete. (See column 12, lines 15-53).

It is, however, readily apparent that not *every* value in the platform category (i.e. the at least one image) is overridden by the values of the other categories (i.e. the "one or more additional images"); only values in the platform category that have matching properties with one of the other categories are overridden:

At the bottom of the hierarchy in the described embodiment is the client platform entry shown at block 823. Values of properties in this entry are overridden by values of any matching properties in any of the other three categories. In other preferred embodiments, the priority order can be arranged differently and may also include additional

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or fewer entries in the hierarchy. (See column 12, lines 64-67).

Nor would it make sense to have *every* value in the platform category overridden by values of the other categories: if every value within the platform category was to be overridden, there would be no need to have a platform category or coalesce its values with the other categories, as no configuration information within the platform category would ever be used by a client computer. It is therefore understood that at most some, but not all, of the configuration information within the platform category (i.e. “the at least one image”) is overridden by configuration information within the profile, users, and/or group categories (i.e. the “one or more additional images”) in order to generate the configuration information (i.e. customized image) which is sent to the client computer. The customized image of Traversat, that is, comprises the at least one image (i.e. configuration information within the platform category) and one or more additional images (i.e. configuration information within the profile, users, and/or group categories), like claimed. Accordingly, given the broadest, most reasonable interpretation of the claimed feature under discussion – “creating at least one customized image, wherein the at least one customized image comprises the at least one image of the device and the one or more additional images” – Traversat teaches such a feature.

Additionally, it is readily apparent that configuration information within the platform category is not necessarily overridden by configuration information within other server schema categories at all. Only values in the platform category that have matching properties with one of the other categories are overridden. But the platform category may not have matching properties with any of the other categories, and in such cases, no values within the platform category (i.e. “the at least one image”) are overridden. Further, it is appreciated that the coalescing of server

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schema values is an improvement upon the prior art, i.e. to reduce the amount of data needed to be sent from server to client (see e.g. column 2, lines 34-64). It is thus understood that, in non-preferred or alternative embodiments, such coalescing of server schema configuration information need not take place, and the configuration information from the platform category (i.e. "the at least one image") may be sent in its entirety to a client computer, along with configuration information from the profile, users, and group categories (i.e. the "one or more additional images"). In such an embodiment, a customized image is created, wherein the customized image comprises the at least one image and the one or more additional images, like claimed. Although this is a non-preferred embodiment of Traversat, it is noted that a reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art, including nonpreferred embodiments. See *Merck & Co. v. Biocraft Laboratories*, 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir.), cert. denied, 493 U.S. 975 (1989). See also *Celeritas Technologies Ltd. v. Rockwell International Corp.*, 150 F.3d 1354, 1361, 47 USPQ2d 1516, 1522-23 (Fed. Cir. 1998).

Accordingly, the Examiner maintains that Traversat anticipates claims 1 and 13 of the present application.

2. Dependent claims 6 and 18

Concerning claims 6 and 18, the Appellant argues that Traversat fails to disclose, "creating a base image of the device; associating the at least one image of the device and the one or more additional images to the base image; and updating the customized image to comprise the base image of the device, the at least one image of the device, and the one or more additional

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images,” as is claimed. In defense of this argument, the Appellant particularly argues that Traversat fails to disclose such a “base image;” the Appellant disputes the Examiner’s assertion that the configuration information maintained by the profile category of the server schema of Traversat is the same as the claimed “base image,” and submits that the Examiner has failed to provide support for such an assertion:

The Examiner’s Final Action further alleges, without support, that the configuration information maintained by the profile category of the server schema is a “base image,” as is claimed. (See page 13 of the brief).

The Examiner, however, respectfully disagrees with this argument. The specification of the present application discusses such a “base image” (see e.g. page 10, lines 14-21), but provides no explicit definition of a “base image.” As is asserted in the specification (see e.g. page 1, lines 14-17), and as described above in the discussion concerning claims 1 and 13, an image comprises information relating to the memory, storage, applications, and other features representing the overall configuration state of the client computer. Adding “base” to describe such an image does little to narrow this definition. However, as is consistent with definition of “base,” it is interpreted that a base image may be a fundamental image, upon which other images or content is added. The specification of the present application supports such an interpretation, i.e. that this interpretation is intended to be within the scope of a “base image.”

This “golden” workstation may have any operating system and any one or more software packages that the administrator may desire to have in a “base” image of the workstation or other device. Additional add-on images may be applied to the base image when the image is applied to the workstation, for example. (See page 10, lines 14-19 of the Specification).

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The configuration information maintained by the profile category of the server schema of Traversat comprises an image, since such information relates to the memory, storage, applications, and other features representing the overall configuration state of the client computer. Moreover, this configuration information within the profile category comprises one or more base images, as it comprises a fundamental images corresponding to particular profiles of client computers (see e.g. column 9, lines 26-42), upon which other images or content is added (see e.g. column 11, lines 24-67). Accordingly, the Examiner maintains that the configuration information within the profile category of Traversat comprises a “base image,” given the broadest, most reasonable interpretation of such a “base image.”

Further regarding claims 6 and 18, the Appellant argues that Traversat does not show a customized image that comprises a base image (i.e. configuration information from the profile category), because the configuration information from the profile category is overridden by other categories when generating the custom image (i.e. the configuration information sent to a client computer). The Examiner, however, respectfully disagrees with this argument for the reasons presented above in the discussion concerning claims 1 and 13. Particularly, like shown above in the discussion concerning claims 1 and 13, not *every* value in the profile category (i.e. “the base image”) would overridden by the values of the other categories (i.e. the “one or more additional images”); only values in the profile category that have matching properties with one of the other categories are overridden. Nor would it make sense to have *every* value in the profile category overridden by values of the other categories: if every value within the profile category was to be overridden, there would be no need to have a profile category or coalesce its values with the other categories, as no configuration information within the profile category would ever be used

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by a client computer. It is therefore understood that at most some, but not all, of the configuration information within the profile category (i.e. “the base image”) is overridden by configuration information within the users and/or group categories (i.e. the “one or more additional images”) in order to generate the configuration information (i.e. customized image) which is sent to the client computer. The customized image of Traversat, that is, still comprises the at least one image (i.e. configuration information within the platform category), the base image (i.e. configuration information within the profile category), and one or more additional images (i.e. configuration information within the users and/or group categories), like claimed. Accordingly, given the broadest, most reasonable interpretation of the claimed feature under discussion – a customized image that comprises a base image of the device, at least one image of the device, and one or more additional images – Traversat teaches such a feature.

Additionally, like discussed above in the discussion concerning claims 1 and 13, it is readily apparent that configuration information within the profile category is not necessarily overridden by configuration information within other server schema categories at all. Only values in the profile category that have matching properties with one of the other categories are overridden. But the profile category may not have matching properties with any of the other categories, and in such cases, no values within the profile category (i.e. “the base image”) are overridden. Further, it is appreciated that the coalescing of server schema values is an improvement upon the prior art, i.e. to reduce the amount of data needed to be sent from server to client (see e.g. column 2, lines 34-64). It is thus understood that, in non-preferred or alternative embodiments, such coalescing of server schema configuration information need not take place, and the configuration information from the profile category (i.e. “the base image”)

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may be sent in its entirety to a client computer, along with configuration information from the users and group categories (i.e. the “one or more additional images”).

Accordingly, the Examiner maintains that Traversat anticipates claims 6 and 18 of the present application.

3. Dependent claims 7 and 19

Concerning claims 7 and 19, the Appellant disputes the Examiner’s assertion that the configuration information maintained in each server schema category is maintained in a file set. The Examiner, however, respectfully disagrees with this argument. Traversat discloses storing configuration information in the memory of server computer, whereby the configuration information is organized according to a particular schema, and the leaf nodes of this schema specify the configuration information (see e.g. column 8, line 36 – column 9, line 67). Traversat does not explicitly disclose that such configuration information is stored as sets of files. Nevertheless, as is well known to one of ordinary skill in the art, files are an intrinsic and rudimentary means for storing and accessing information from the memory of a computer. Accessing configuration information from the server schema, that is, necessitates accessing one or more files. Accordingly, the Examiner maintains that the configuration information maintained by the server schema of is stored as files, accessible through the schema.

Further regarding claims 7 and 19, the Appellant argues that Traversat fails to disclose “wherein the files sets are inserted into a corresponding one of the at least one image,” because Traversat teaches overriding configuration information (i.e. a file set), not inserting it into an image. The Examiner, however, respectfully disagrees with this argument for the reasons

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presented above in the discussion concerning claims 1 and 13. Particularly, like shown above in the discussion concerning claims 1 and 13, not *every* value in a category (i.e. a “file set”) would be overridden by the values of the other categories (i.e. another file “file set”); only values in a category that have matching properties with one of the other categories are overridden. Nor would it make sense to have *every* value in a particular category overridden by values of the other categories: if every value within a category was to be overridden, there would be no need to have the category or coalesce its values with the other categories, as no configuration information within the category would ever be used by a client computer. Moreover, configuration information (i.e. a file set) from the schema category having the highest priority (i.e. the user category) is not overridden at all, but is placed into the set of configuration information (i.e. the customized image) sent to the client computer (see e.g. column 12, lines 40-67 of Travesat). It is therefore understood that at most some, but not all, of the configuration information within a particular category (i.e. “a file set”) is overridden by configuration information within other categories in order to generate the configuration information (i.e. customized image) which is sent to the client computer. The customized image of Traversat, that is, still comprises file sets (e.g. configuration information from within the profile, users and/or group categories), like claimed. Accordingly, given the broadest, most reasonable interpretation of the claimed feature under discussion – inserting a file set into the at least one image – Traversat teaches such a feature.

Additionally, like discussed above in the discussion concerning claims 1 and 13, it is readily apparent that configuration information within a category is not necessarily overridden by configuration information within other server schema categories at all. Only values in a category

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that have matching properties with one of the other categories are overridden. But the category may not have matching properties with any of the other categories, and in such cases, no values within the category (i.e. "the file set") are overridden. Further, it is appreciated that the coalescing of server schema values is an improvement upon the prior art, i.e. to reduce the amount of data needed to be sent from server to client (see e.g. column 2, lines 34-64). It is thus understood that, in non-preferred or alternative embodiments, such coalescing of server schema configuration information need not take place, and the configuration information from a category (i.e. a "file set") may be sent in its entirety to a client computer.

Accordingly, the Examiner maintains that Traversat anticipates claims 7 and 19 of the present application.

4. Dependent claims 8 and 20

Concerning claims 8 and 20, the Appellant disputes the Examiner's assertion that the profile, user, and group categories of Traversat comprise application images associated with one or more user characteristics. The Examiner, however, respectfully disagrees with this argument. Traversat clearly discloses that configuration information maintained by the profile category, users category, and group category of the server schema each comprise application configuration information associated with user characteristics (see column 9, lines 27-67). The Specification provides no explicit definition of an "application image." However, as an "image" comprises information relating to the memory, storage, applications, and other features representing the overall configuration state of the client computer configuration (see e.g. page 1, lines 14-17 of the Specification), it is apparent that an "application image" comprises information relating to

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the memory, storage, and other features representing the overall configuration state of an application. Accordingly, the application configuration information maintained within the profile, users, and group categories of Traversat is an “application image,” because it relates to the features representing an overall configuration state of an application, as is consistent with the Specification.

Further regarding claims 8 and 20, the Appellant argues that Traversat fails to disclose “inserting the one or more application images into corresponding ones of the at least one image,” because Traversat teaches overriding configuration information (i.e. an “application image”), not inserting it into an image. The Examiner, however, respectfully disagrees with this argument for the reasons presented above in the discussion concerning claims 1 and 13. Particularly, like shown above in the discussion concerning claims 1 and 13, not *every* value in a category (i.e. an “application image”) would be overridden by the values of the other categories; only values in a category that have matching properties with one of the other categories are overridden. Nor would it make sense to have *every* value in a particular category overridden by values of the other categories: if every value within a category was to be overridden, there would be no need to have the category or coalesce its values with the other categories, as no configuration information within the category would ever be used by a client computer. Moreover, configuration information (i.e. an “application image”) from the schema category having the highest priority (i.e. the user category) is not overridden at all, but is placed into the set of configuration information (i.e. the customized image) sent to the client computer (see e.g. column 12, lines 40-67 of Traversat). It is therefore understood that at most some, but not all, of the configuration information within a particular category (i.e. an “application image”) is

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overridden by configuration information within other categories in order to generate the configuration information (i.e. customized image) which is sent to the client computer. The customized image of Traversat, that is, still comprises application images (e.g. configuration information from within the profile, users and/or group categories), like claimed. Accordingly, given the broadest, most reasonable interpretation of the claimed feature under discussion – inserting an application image into an image – Traversat teaches such a feature.

Additionally, like discussed above in the discussion concerning claims 1 and 13, it is readily apparent that configuration information within a category is not necessarily overridden by configuration information within other server schema categories at all. Only values in a category that have matching properties with one of the other categories are overridden. But the category may not have matching properties with any of the other categories, and in such cases, no values within the category (i.e. an “application image”) are overridden. Further, it is appreciated that the coalescing of server schema values is an improvement upon the prior art, i.e. to reduce the amount of data needed to be sent from server to client (see e.g. column 2, lines 34-64). It is thus understood that, in non-preferred or alternative embodiments, such coalescing of server schema configuration information need not take place, and the configuration information from a category (i.e. an “application image”) may be sent in its entirety to a client computer.

Accordingly, the Examiner maintains that Traversat anticipates claims 8 and 20 of the present application.

5. Independent claim 27

Regarding claim 27, the Appellant argues that there is no evidence that Traversat teaches “defining one or more file sets...identifying...one or more files sets to be inserted in the at least one image” and “defining one or more file sets to include selected ones of the plurality of files,” like claimed. The Examiner, however, respectfully disagrees with this argument. Traversat discloses storing configuration information in the memory of server computer, whereby the configuration information is organized according to a particular schema, and the leaf nodes of this schema specify the configuration information (see e.g. column 8, line 36 – column 9, line 67). Traversat does not explicitly disclose that such configuration information is stored as sets of files. Nevertheless, as is well known to one of ordinary skill in the art, files are an intrinsic and rudimentary means for storing and accessing information from the memory of a computer. Accessing configuration information from the server schema, that is, necessitates accessing one or more files. Accordingly, the Examiner maintains that the configuration information maintained by the server schema is stored as files, accessible through the schema. Traversat clearly disclose that such sets of files (i.e. configuration information from the profile, users or group category) are inserted into the at least one image (i.e. profile information from the platform category) (see e.g. column 11, lines 11-67). Moreover, Traversat clearly teaches that the one or more file sets include selected files; the configuration information associated within the profile category, users category, and group category (i.e. file sets) include configuration information (i.e. files) selected for particular uses, users, and groups of users (see e.g. column 8, line 36 – column 9, line 67).

Further regarding claim 27, the Appellant argues that Traversat fails to disclose inserting file sets into configuration information (i.e. an image), because Traversat teaches overriding configuration information (i.e. a file set), not inserting it into an image. The Examiner, however, respectfully disagrees with this argument for the reasons presented above in the discussion concerning claims 1 and 13. Particularly, like shown above in the discussion concerning claims 1 and 13, not *every* value in a category (i.e. a “file set”) would be overridden by the values of the other categories (i.e. another file “file set”); only values in a category that have matching properties with one of the other categories are overridden. Nor would it make sense to have *every* value in a particular category overridden by values of the other categories: if every value within a category was to be overridden, there would be no need to have the category or coalesce its values with the other categories, as no configuration information within the category would ever be used by a client computer. Moreover, configuration information (i.e. a file set) from the schema category having the highest priority (i.e. the user category) is not overridden at all, but is placed into the set of configuration information (i.e. the customized image) sent to the client computer (see e.g. column 12, lines 40-67 of Traversat). It is therefore understood that at most some, but not all, of the configuration information within a particular category (i.e. “a file set”) is overridden by configuration information within other categories in order to generate the configuration information (i.e. customized image) which is sent to the client computer. The customized image of Traversat, that is, still comprises file sets (e.g. configuration information from within the profile, users and/or group categories), like claimed. Accordingly, given the broadest, most reasonable interpretation of the claimed feature under discussion – inserting a file set into the at least one image – Traversat teaches such a feature.

Additionally, like discussed above in the discussion concerning claims 1 and 13, it is readily apparent that configuration information within a category is not necessarily overridden by configuration information within other server schema categories at all. Only values in a category that have matching properties with one of the other categories are overridden. But the category may not have matching properties with any of the other categories, and in such cases, no values within the category (i.e. "the file set") are overridden. Further, it is appreciated that the coalescing of server schema values is an improvement upon the prior art, i.e. to reduce the amount of data needed to be sent from server to client (see e.g. column 2, lines 34-64). It is thus understood that, in non-preferred or alternative embodiments, such coalescing of server schema configuration information need not take place, and the configuration information from a category (i.e. a "file set") may be sent in its entirety to a client computer.

Accordingly, the Examiner maintains that Traversat anticipates claim 27 of the present application.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



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